

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

SEAN VEST,	:
Plaintiff,	:
v.	: Case No. 3:12-cv-256-KRG-KAP
UNITED STATES OF AMERICA,	:
BUREAU OF PRISONS,	:
Defendant	:

MEMORANDUM ORDER

This matter was referred to Magistrate Judge Keith A. Pesto for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Local Rule 72 for Magistrate Judges.

The Magistrate Judge filed a Report and Recommendation on January 30, 2013, docket no. 4, recommending that plaintiff's motion for leave to proceed *in forma pauperis* be denied.

The plaintiff was notified that, pursuant to 28 U.S.C. § 636(b)(1), he had fourteen days to file written objections to the Report and Recommendation. Plaintiff filed timely objections, docket no. 5.

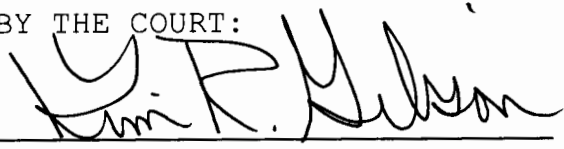
After *de novo* review of the record, the Report and Recommendation, and the timely objections thereto, the following order is entered:

AND NOW, this 20th day of February, 2013, it is

ORDERED that plaintiff's motion to proceed *in forma pauperis*, docket no. 3, is denied. The Report and Recommendation is adopted as the opinion of the Court.

Because plaintiff has not yet paid the filing fee, for administrative purposes only the Clerk shall mark this matter closed. If plaintiff pays the filing fee within 30 days of the date of this Order, the Clerk shall re-open the matter. Thereafter plaintiff shall make service of the complaint at his expense within 120 days of the payment of the filing fee, or the complaint shall be dismissed under Fed.R.Civ.P. 4(m) without further notice. If plaintiff does not timely pay the filing fee, the matter shall be considered dismissed without prejudice for lack of prosecution.

BY THE COURT:


KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

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